

REMARKS / ARGUMENTS

Claims 1-18 have been canceled without prejudice or disclaimer. New claims 19-42 have been added.

Priority

Applicants appreciate the Examiner's acknowledgment of the claim for priority and safe receipt of the priority document.

Interview

Applicants wish to thank the Examiner and the Examiner's supervisor for conducting an interview with the undersigned and Applicants' representative. The following summarizes that which was discussed during the interview.

35 U.S.C. §112

The cancellation of claims 1-18 under 35 U.S.C. §112, second paragraph, has been rendered moot by the cancellation of those claims without prejudice or disclaimer in favor of new claims 19-34. It is submitted that the new claims satisfy the requirements of this section.

35 U.S.C. §§102 and 103

Claim 1 stands rejected under 35 U.S.C. §102(b) as being anticipated by McCown et al (U.S. Patent No. 5,067,099). Claims 2-6, 8-12 and 14 stand rejected under 35 U.S.C. §102(e) as being anticipated by Enck (U.S. Patent No. 6,609,083). Claims 2, 7, 13 and 15-18 stand rejected under 35 U.S.C. §102(b) as being anticipated by Sipple et al (U.S. Patent No. 6,405,327). These rejections are traversed as follows.

According to the present invention, if performance data from one element in an access path indicates that a condition is satisfied, then a collecting process of performance data from another element of the access path is changed. In other words, if there is a deterioration in performance detected by a first element, then the collection of performance data for a second element on the access path is changed in an effort to determine the reason for the deterioration in performance of the first element. The access path is referred to as "the path of accessing the storage from the computer" in the present specification (see [0151] of corresponding publication). This portion of the specification is referred to by way of example only in response to a question raised by the Examiner during the interview.

None of the cited references disclose these features of the present invention. At best, these references disclose adjusting a monitoring policy of one element based upon a result of monitoring the same element. These references do not

disclose or suggest the adjusting of monitoring a performance of a second element based upon the result of monitoring a performance of a first element.

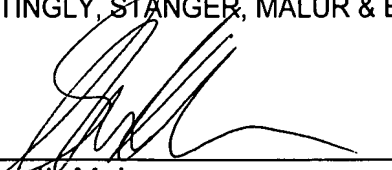
Since it is too time consuming and requires too many resources to constantly monitor the performance of all elements on an access path, the present invention makes it possible to determine the cause of some change in performance in a more effective manner. As such, it is submitted that the pending claims patentably define the present invention over the cited art.

Conclusion

In view of the foregoing, Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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